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FACT SHEET

February 2009

Programs for Self-Represented Litigants

California's courts are facing an ever-increasing number of litigants who go to court without legal counsel, largely because they cannot afford representation. Self-represented litigants typically are unfamiliar with court procedures and forms as well as with their rights and obligations, which leaves them disadvantaged in court and requires significant court resources. Accordingly, the Judicial Council has made access to the courts for self-represented litigants one of its top priorities. The council is directly involved with the following programs and services.

Task Force on Self-Represented Litigants

The Judicial Council established the Task Force on Self-Represented Litigants in 2001 to coordinate the statewide response to the needs of litigants who represent themselves in court. The task force drafted a statewide action plan to serve self-represented litigants that was based in large part on local courts' own plans to add programs and services for self-represented litigants. This *Statewide Action Plan for Serving Self-Represented Litigants* was adopted by the Judicial Council in February 2004 and serves as the basis for the Judicial Council's efforts since that time. The task force continues to work on implementation of the action plan.

Self-Help Centers

Effective January 1, 2008, the Judicial Council adopted California Rule of Court 10.960, which states that court-based self-help centers are a core function of the California courts. Self-help centers are located in or near the courthouse and are staffed by attorneys and other qualified personnel under their direction to provide information and education to self-represented litigants about the justice process and to work with the court to provide effective management of cases involving self-represented litigants. In response to the rule, the AOC adopted guidelines for the operation of court self-help centers that address topics including attorney and other staff qualifications, scope of services, ethics, language access, and efficiency of

operation. Funding is provided to every trial court to allow self-help services throughout the state. These programs now serve over 450,000 persons per year.

Family Law Facilitators

Many self-help centers are combined with the family law facilitator program in their courts. Effective January 1, 1997, Family Code section 10002 established an Office of the Family Law Facilitator in each of the 58 counties. The Judicial Council administers the program, providing funds to these court-based offices that are staffed by licensed attorneys. These facilitators, working for the superior court, guide litigants through procedures related to child support, maintenance of health insurance, and spousal support. They assist with cases involving the local child support agency, many of which are public assistance reimbursement cases. Family law facilitators can assist parties with forms, court procedures, and support calculations, and they provide workshops and referrals to community agencies that assist parents and families.

Equal Access Fund

The Judicial Council is working in partnership with the State Bar's Legal Services Trust Fund Commission to establish self-help centers in California courts. To that end, each year the council and the bar distribute over \$1.5 million to legal services programs for court-based services for low-income self-represented litigants. Thirty programs are currently funded and provide assistance to litigants in cases involving domestic violence, guardianships, family law, landlords and tenants, expungement of criminal records, and general civil assistance. The nation's first appellate self-help center has also been created through this program.

Family Law Information Centers

The Judicial Council administers three pilot project centers in the Superior Courts of Los Angeles, Sutter, and Fresno Counties. The centers are supervised by attorneys and assist low-income self-represented litigants with forms, information, and resources concerning divorce, separation, parentage, child and spousal support, property division, and custody and visitation. The center staffs work closely with the family law facilitators in these three counties to coordinate services. An evaluation of the effectiveness of the centers, issued on March 1, 2003, demonstrated that the customers and judges were very happy with the services, and that more than 45,000 litigants were assisted each year.

Model Self-Help Centers

Five model self-help centers were created in 2002 to pilot new methods—Spanish-speaking, multilingual, technology, urban collaboration, and regional coordination—

of providing services. An evaluation of these programs, issued March 1, 2005, demonstrated that services can be provided effectively to litigants with limited English proficiency and that technology can greatly aid in delivering services to rural communities. The insights gained from the pilot projects have been used in the development of the guidelines for self-help centers, and the materials developed by the programs have been made available and serve as models for replication.

Web Site

The Judicial Council provides a comprehensive Online Self-Help Center for court users who do not have attorneys and for others wishing to become better informed about the law and court procedures. The entire site has been translated into Spanish and provides over 1,200 pages of information, each available in English and in Spanish, on topics including family law, landlord/tenant, small claims, guardianships, conservatorships, domestic violence, elder abuse, and a host of other topics. Instructional guides are provided for forms that litigants must file in court. These forms can be filled out online at no cost to be printed and filed with the court.

Links to a wide variety of resources are provided. The Web site is designed to help its users navigate the court system and acquire realistic expectations about the legal system. (See the companion fact sheet "Online Self-Help Center Q&A.") The Administrative Office of the Courts (AOC), the council's staff agency, maintains the center at www.courtinfo.ca.gov/selfhelp/ and www.sucorte.ca.gov.

Videos

The AOC offers several videos to help the estimated 94,500 self-represented litigants involved in custody mediation each year learn more about family court procedures. The award-winning *Focus on the Child* orients self-represented parents to court procedures, mediation, child custody evaluation, effective presentation of child-related information to the courts, parenting plans, and supervised visitation. The AOC also has developed videos on requesting a domestic violence restraining order and responding to a request for a domestic violence restraining order; these are available in English, Spanish, Vietnamese, Chinese, and Korean. Additional videos describe how to prepare court forms for an uncontested divorce and how to prepare for a family law hearing; they are available in English and Spanish. A list of videos prepared by local courts can be requested from the AOC by e-mailing cfcc@jud.ca.gov.

Publications for Self-Represented Litigants

The AOC develops and distributes a wide variety of materials for self-represented litigants. These include:

- *Going to Court Without a Lawyer*: an explanation of the divorce process in California with information about which forms need to be completed and how the divorce process works.
- *Summary Dissolution Handbook*: a set of detailed instructions for completing forms for a summary dissolution and writing a marital settlement agreement for cases involving a summary dissolution.
- *Caregivers in the Courts*: A booklet for foster parents on how the juvenile court process works and how to present information on the needs of children in their care.
- *Adoption Information*: A handout on preparing adoption forms.
- *Emancipation Pamphlet*: A guide to the emancipation process for minors.

Education and Training

Enabling court staffs to effectively assist self-represented litigants is a key part of the Judicial Council's mission to make the courts more accessible.

- The AOC has sponsored numerous conferences on self-represented litigants to allow court staff, judges, and community providers to learn about developments in the law as well as new ideas for serving self-represented litigants. These conferences also allow time for courts to plan their next steps in implementing promising practices.
- The AOC's Education Division/Center for Judicial Education and Research addresses issues that concern self-represented litigants in many of its classes and seminars, including satellite broadcast sessions for court clerks on the difference between legal information and legal advice, and for presiding judges and court executive officers on ways courts can best handle cases with self-represented litigants.
- In 2007, the AOC published *Handling Cases Involving Self-Represented Litigants: A Benchguide for Judicial Officers*, which provides information to judges on ethics, courtroom and case management, communication skills, evidence, and other key topics. The State Justice Institute, which provided funding for the project, awarded the AOC the Howell Heflin Award in 2008 for the guide as the grant project with the greatest potential to significantly improve the administration of justice in state courts nationwide. The benchguide has now been adapted for national use.

National Self-Represented Litigation Network

California is a founding member of the National Self-Represented Litigation Network, which is administered by the National Center for State Courts. As part of that network, we have developed self-evaluation tools for courts and self-help centers to assess how effectively they are meeting the needs of self-represented litigants, research on communication between judicial officers and self-represented litigants, and best practices in self-help centers. By exchanging information and working together with programs throughout the country, we are able to utilize scarce resources to identify the most effective ways for the courts to serve those persons who do not have the resources to hire attorneys.